

**REMARKS**

In the Office Action mailed November 16, 2006, the Examiner rejected claims 1 and 23 under 35 U.S.C. §101 as lacking patentable utility and further rejected claim 1 as directed to non-statutory subject matter; rejected claims 1 and 23 under 35 U.S.C. §112, second paragraph, for indefiniteness; rejected claims 1, 2, and 23 under 35 U.S.C. §112, second paragraph, for indefiniteness; rejected claims 1, 3, and 23 under 35 U.S.C. §102(b) as unpatentable over U.S. Patent Publication No. 2001/0000536 to Tarin; and indicated that claims 2, and 4-10 would be allowed if rewritten in independent form including all the limitations of the base claims and any intervening claims.

By this Amendment, Applicants cancel allowable claim 2; amend claim 1 to incorporate the allowable subject matter of claim 2; amend allowable claim 10 to include the elements of independent base claim 1; amend claim 23 to include the allowable subject matter of claim 2; and amend claims 1 and 23 in response to the rejections under 35 U.S.C. §§ 101 and 112.

The Examiner rejected claims 1 and 23 under 35 U.S.C. §101 as lacking patentable utility. Applicants respectfully traverse this rejection. To expedite prosecution, Applicants have, however, amended claims 1 and 23 by replacing the term "if" with the term "when." Accordingly, the rejection of claims 1 and 23 under 35 U.S.C. § 101 should be withdrawn.

The Examiner further rejected claim 1 under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicants respectfully traverse this rejection. To expedite prosecution, Applicants have, however, amended claim 1 by adding the phrase "computer-implemented," so it now reads "A computer-implemented method." Accordingly, the rejection of claim 1 under 35 U.S.C. § 101 should be withdrawn.

Regarding the rejections under 35 U.S.C. § 112, Applicants submit that the amendments to claim 1 and 23 obviate the basis for the Examiner's rejections of those claims. Applicants thus submit that the section 112 rejections of claims 1 and 23 should thus be withdrawn.

Regarding the rejection under 35 U.S.C. §102(b), Applicants submit that claims 1 and 23 incorporate claim 2, subject matter deemed allowable by the Examiner. Therefore, claims 1 and 23 as well as claim 3, at least by reason of its dependency from independent claim 1, are not anticipated by Tarin, and the rejection of those claims under 35 U.S.C. §102(b) should thus be withdrawn.

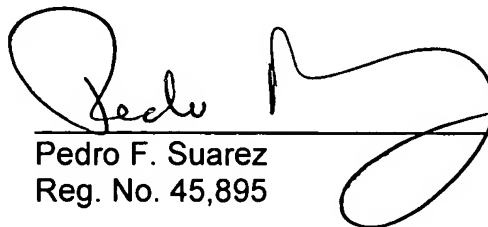
Regarding claim 10, as suggested by the Examiner, allowable claim 10 has been rewritten in independent form to include the elements of independent base claim 1. Therefore, claim 10 is in immediate condition for allowance

**CONCLUSION**

In view of the foregoing, claims 1, 3-10, and 23 are in immediate condition for allowance. Moreover, it is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. No fee is believed to be due, however, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-086.

Respectfully submitted,

  
Pedro F. Suarez  
Reg. No. 45,895

Date: 11 January 2007

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
9255 Towne Centre Drive, Suite 600  
San Diego, CA 92121  
**Customer No. 64280**  
Tel.: 858/320-3040  
Fax: 858/320-3001